

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:98-cr-00093-MOC

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
                                  )  
                                  )  
Vs.                            )  
                                  )  
DARIUS KEITH RAINY,        )  
                                  )  
                                  )  
Defendant.                   )

**THIS MATTER** is before the court on the joint Motion for a Time Served Sentence (#76).

It appearing that petitioner is entitled to the relief he seeks for the reasons explained in the motion and the court's Order in the Section 2255 proceeding, 3:16cv201, the court enters the following Order.

AMENDED JUDGMENT

**IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED** that

(1) The joint Motion for a Time Served Sentence (#76) is **GRANTED**, and a sentence of imprisonment for **TIME SERVED** is hereby imposed;

(2) Defendant is **ORDERED RELEASED** from the custody of the United States Bureau of Prisons and/or the custody of the U.S. Marshals Service. To allow the Bureau of Prisons/United States Marshal/Pretrial Services adequate time, such are allowed up to ten days to comply with this Order.

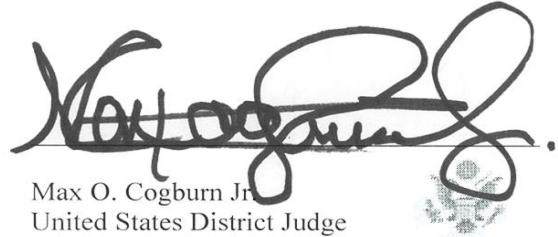
(3) Defendant's period of supervised release is reaffirmed and shall remain in place. As agreed to by the parties, the terms of supervised release are modified to include a condition of

supervised release that provides the Probation Office with discretion to direct that defendant serve up to six months of his supervised release term in a Residential Reentry Center or Half-Way House as defendant has not had the opportunity to participate in a halfway-house program within the BOP, which is beneficial in making a successful transition into the community. The following additional condition of supervised release is, therefore, imposed:

XXX. The defendant shall submit to the local Residential Reentry Center for a period of up to six months, with work release, at the direction of the U.S. Probation Officer. The defendant shall abide by all of the rules and regulations established by the facility until released.

The Clerk of Court shall certify copies of this Order to the U.S. Bureau of Prisons, U.S. Marshals Service, and the U.S. Probation and Pretrial Services Office.

Signed: October 7, 2016



A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.". Below the signature, there is a small, faint, circular emblem or seal.

Max O. Cogburn Jr.  
United States District Judge